

thereafter through January 31, 2024, the Coordinator, in coordination with the relevant agencies, shall submit to the appropriate committees of Congress a detailed report that includes the following:

“(A) A detailed description of the facilities where detained ISIS members are being held, including security and management of such facilities and adherence to international humanitarian law standards.

“(B) A description of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, internally displaced persons and refugees at camps or facilities in Iraq, Syria, and any other area affected by ISIS activity, including a description of—

“(i) support for efforts by the Syrian Democratic Forces’ to facilitate the return of refugees from Iraq and Syria;

“(ii) repatriation efforts with respect to displaced women and children;

“(iii) any current or future potential threat to United States national security interests posed by detained ISIS members, including an analysis of the Al-Hol camp and annexes; and

“(iv) United States Government plans and strategies to respond to any threat identified under clause (iii).

“(C) An analysis of all United States efforts to prosecute detained ISIS members and the outcomes of such efforts. Any information, the disclosure of which may violate Department of Justice policy or law, relating to a prosecution or investigation may be withheld from a report under this subsection.

“(D) A detailed description of any option to expedite prosecution of any detained ISIS member, including in a court of competent jurisdiction outside of the United States.

“(E) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of detained ISIS members, and an assessment of any measures available to mitigate such releases.

“(F) A detailed description of efforts to coordinate the disposition and security of detained ISIS members with other countries and international organizations, including the International Criminal Police Organization, to ensure secure chains of custody and locations of such ISIS members.

“(G) An analysis of the manner in which the United States Government communicates on such proposals and efforts to the families of United States citizens believed to be a victim of a criminal act by a detained ISIS member.

“(H) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share intelligence or evidence that may aid in the prosecution of ISIS members, and any legal obstacles that may hinder such efforts.

“(I) Any other matter the Coordinator considers appropriate.

“(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.”;

(e) in subsection (e), by striking “January 31, 2021” and inserting “January 31, 2024”;

(f) in subsection (f)—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) COORDINATOR.—The term ‘Coordinator’ means the individual designated under subsection (a).”; and

(3) by adding at the end the following new paragraph:

“(4) RELEVANT AGENCIES.—The term ‘relevant agencies’ means—

“(A) the Department of State;

“(B) the Department of Defense;

“(C) the Department of the Treasury;

“(D) the Department of Justice;

“(E) the United States Agency for International Development;

“(F) the Office of the Director of National Intelligence; and

“(G) any other agency the President considers relevant.”; and

(g) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

**SA 4308.** Mrs. BLACKBURN (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

**SEC. 376. BRIEFING ON SPENDING RELATING TO DIVERSITY, EQUITY, AND INCLUSION INITIATIVES OF DEPARTMENT OF DEFENSE.**

The Under Secretary of Defense (Comptroller), with the submission of the annual budget of the Department of Defense submitted by the President under section 1105(a) of title 31, United States Code, for fiscal year 2023, shall brief the congressional defense committees on—

(1) all spending planned to implement guidance or recommendations from the workforce council of the Deputy Secretary of Defense, including the activities specified in the memorandum of the Deputy Secretary of Defense dated March 11, 2021;

(2) all spending planned to implement guidance or recommendations from the Countering Extremism Working Group of the Department; and

(3) a financial accounting of planned expenditures for the implementation of paragraphs (1) or (2), including—

(A) amounts requested for appropriation for operation and maintenance for the Department for full-time equivalent employees for such implementation; and

(B) amounts requested for appropriation for military personnel for the Department for man hours of members of the Armed Forces for such implementation.

**SA 4309.** Mr. SCOTT of Florida (for himself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1064. EXTENSION OF CUSTOMS WATERS OF THE UNITED STATES.**

(a) TARIFF ACT OF 1930.—Section 401(j) of the Tariff Act of 1930 (19 U.S.C. 1401(j)) is amended—

(1) by striking “means, in the case” and inserting the following: “means—

“(1) in the case”;

(2) by striking “of the coast of the United States” and inserting “from the baselines of the United States (determined in accordance with international law)”;

(3) by striking “and, in the case” and inserting the following: “; and

“(2) in the case”;

(4) by striking “the waters within four leagues of the coast of the United States.” and inserting the following: “the waters within—

“(A) the territorial sea of the United States, to the limits permitted by international law in accordance with Presidential Proclamation 5928 of December 27, 1988; and

“(B) the contiguous zone of the United States, to the limits permitted by international law in accordance with Presidential Proclamation 7219 of September 2, 1999.”.

(b) ANTI-SMUGGLING ACT.—Section 401(c) of the Anti-Smuggling Act (19 U.S.C. 1709(c)) is amended—

(1) by striking “means, in the case” and inserting the following: “means—

“(1) in the case”;

(2) by striking “of the coast of the United States” and inserting “from the baselines of the United States (determined in accordance with international law)”;

(3) by striking “and, in the case” and inserting the following: “; and

“(2) in the case”;

(4) by striking “the waters within four leagues of the coast of the United States.” and inserting the following: “the waters within—

“(A) the territorial sea of the United States, to the limits permitted by international law in accordance with Presidential Proclamation 5928 of December 27, 1988; and

“(B) the contiguous zone of the United States, to the limits permitted by international law in accordance with Presidential Proclamation 7219 of September 2, 1999.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the day after the date of the enactment of this Act.

**SA 4310.** Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X of division A, add the following:

**SEC. 10 . LUMBEE TRIBE OF NORTH CAROLINA RECOGNITION.**

The Act of June 7, 1956 (70 Stat. 254, chapter 375), is amended—

(1) by striking section 2;

(2) in the first sentence of the first section, by striking “That the Indians” and inserting the following:

“SEC. 3. DESIGNATION OF LUMBEE INDIANS.

“The Indians”;

(3) in the preamble—

(A) by inserting before the first undesignated clause the following:

“SECTION 1. FINDINGS.

“Congress finds that—”;

(B) by designating the undesignated clauses as paragraphs (1) through (4), respectively, and indenting appropriately;

(C) by striking “Whereas” each place it appears;

(D) by striking “and” after the semicolon at the end of each of paragraphs (1) and (2) (as so designated); and

(E) in paragraph (4) (as so designated), by striking “: Now, therefore,” and inserting a period;

(4) by moving the enacting clause so as to appear before section 1 (as so designated);

(5) by striking the last sentence of section 3 (as designated by paragraph (2));

(6) by inserting before section 3 (as designated by paragraph (2)) the following:

**“SEC. 2. DEFINITIONS.**

“In this Act:

“(1) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

“(2) TRIBE.—The term ‘Tribe’ means the Lumbee Tribe of North Carolina or the Lumbee Indians of North Carolina.”; and

(7) by adding at the end the following:

**“SEC. 4. FEDERAL RECOGNITION.**

“(a) IN GENERAL.—Federal recognition is extended to the Tribe (as designated as petitioner number 65 by the Office of Federal Acknowledgment).

“(b) APPLICABILITY OF LAWS.—All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Tribe and its members.

“(c) PETITION FOR ACKNOWLEDGMENT.—Notwithstanding section 3, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Tribe (as determined under section 5(d)) may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

**“SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.**

“(a) IN GENERAL.—The Tribe and its members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes.

“(b) SERVICE AREA.—For the purpose of the delivery of Federal services and benefits described in subsection (a), those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

“(c) DETERMINATION OF NEEDS.—On verification by the Secretary of a tribal roll under subsection (d), the Secretary and the Secretary of Health and Human Services shall—

“(1) develop, in consultation with the Tribe, a determination of needs to provide the services for which members of the Tribe are eligible; and

“(2) after the tribal roll is verified, each submit to Congress a written statement of those needs.

“(d) TRIBAL ROLL.—

“(1) IN GENERAL.—For purpose of the delivery of Federal services and benefits described in subsection (a), the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary, define the service population of the Tribe.

“(2) VERIFICATION LIMITATION AND DEADLINE.—The verification by the Secretary under paragraph (1) shall—

“(A) be limited to confirming documentary proof of compliance with the membership criteria set out in the constitution of the Tribe adopted on November 16, 2001; and

“(B) be completed not later than 2 years after the submission of a digitized roll with supporting documentary proof by the Tribe to the Secretary.

**“SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.**

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is hereby authorized to take land into trust for the benefit of the Tribe.

“(b) TREATMENT OF CERTAIN LAND.—An application to take into trust land located within Robeson County, North Carolina, under this section shall be treated by the Secretary as an ‘on reservation’ trust acquisition under part 151 of title 25, Code of Federal Regulations (or a successor regulation).

**“SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.**

“(a) IN GENERAL.—With respect to land located within the State of North Carolina that is owned by, or held in trust by the United States for the benefit of, the Tribe, or any dependent Indian community of the Tribe, the State of North Carolina shall exercise jurisdiction over—

“(1) all criminal offenses that are committed; and

“(2) all civil actions that arise.

“(b) TRANSFER OF JURISDICTION.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) over Indian country occupied by the Tribe pursuant to an agreement between the Tribe and the State of North Carolina.

“(2) RESTRICTION.—A transfer of jurisdiction described in paragraph (1) may not take effect until 2 years after the effective date of the agreement described in that paragraph.

“(c) EFFECT.—Nothing in this section affects the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

**“SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated such sums as are necessary to carry out this Act.

**“SEC. 9. SHORT TITLE.**

“This Act may be cited as the ‘Lumbee Tribe of North Carolina Recognition Act’.”

**SA 4311.** Ms. DUCKWORTH (for herself, Mr. YOUNG, Mr. HEINRICH, Mr. BENNETT, Ms. KLOBUCHAR, Ms. ROSEN, Mrs. FEINSTEIN, Mr. PETERS, Mr. KING, Mr. KELLY, Mr. DURBIN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. HIRONO, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

**SEC. 1216. AFGHANISTAN WAR COMMISSION ACT OF 2021.**

(a) SHORT TITLE.—This section may be cited as the “Afghanistan War Commission Act of 2021”

(b) DEFINITIONS.—In this section:

(1) APPLICABLE PERIOD.—The term “applicable period” means the period beginning June 1, 2001 and ending August 30, 2021.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

(E) the Committee on Foreign Affairs of the House of Representatives; and

(F) the Permanent Select Committee on Intelligence of the House of Representatives.

(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(c) ESTABLISHMENT OF COMMISSION.—

(1) ESTABLISHMENT.—There is established the Afghanistan War Commission (in this section referred to as the “Commission”).

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Commission shall be composed of 12 members of whom—

(i) 1 shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(ii) 1 shall be appointed by the ranking member of the Committee on Armed Services of the Senate;

(iii) 1 shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives;

(iv) 1 shall be appointed by the ranking member of the Committee on Armed Services of the House of Representatives;

(v) 1 shall be appointed by the Chairman of the Committee on Foreign Relations of the Senate;

(vi) 1 shall be appointed by the ranking member of the Committee on Foreign Relations of the Senate;

(vii) 1 shall be appointed by the Chairman of the Committee on Foreign Affairs of the House of Representatives;

(viii) 1 shall be appointed by the ranking member of the Committee on Foreign Affairs of the House of Representatives;

(ix) 1 shall be appointed by the Chairman of the Select Committee on Intelligence of the Senate;

(x) 1 shall be appointed by the ranking member of the Select Committee on Intelligence of the Senate.

(xi) 1 shall be appointed by the Chairman of the Permanent Select Committee on Intelligence of the House of Representatives; and

(xii) 1 shall be appointed by the ranking member of the Permanent Select Committee on Intelligence of the House of Representatives.

(B) QUALIFICATIONS.—It is the sense of Congress that each member of the Commission appointed under subparagraph (A) should have significant professional experience from a position in—

(i) the Department of Defense;

(ii) the Department of State;

(iii) the intelligence community;

(iv) the United States Agency for International Development; or

(v) a relevant academic or scholarly institution.

(C) PROHIBITIONS.—A member of the Commission appointed under subparagraph (A) may not—

(i) be a current member of Congress or a former member of Congress who served in Congress after January 3, 2001;

(ii) have served in military or civilian positions having significant operational or strategic decision-making responsibilities for conducting United States Government actions in Afghanistan during the applicable period; or

(iii) have been a party to any United States or coalition defense contract during the applicable period.

(D) DATE.—The appointments of the members of the Commission shall be made not later than 60 days after the date of enactment of this Act.